

PUBLIC CHAPTER NO. 552**SENATE BILL NO. 2194****By Kyle, Lowe Finney, Marrero, Ford, Burks****Substituted for: House Bill No. 2251****By Odom**

AN ACT to amend Tennessee Code Annotated, Title 37, Chapter 1, Part 1, relative to juvenile offenders.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 37-1-153, is amended by deleting the language in subsection (b)(2) in its entirety and substituting instead the following language:

(b)(2) The conduct constituting the delinquent act, if committed by an adult, would constitute first degree murder, second degree murder, rape, aggravated rape, rape of a child, aggravated rape of a child, aggravated robbery, especially aggravated robbery, kidnapping, aggravated kidnapping or especially aggravated kidnapping.

SECTION 2. Tennessee Code Annotated, Title 37, Chapter 1, is amended by adding the following new language as Section 37-1-182:

(a)(1) There is established a task force on the submission of juvenile fingerprints and reporting of juvenile court dispositions which shall be named the juvenile records task force.

(2) The task force shall have the following members:

(A) The director of the Tennessee Bureau of Investigation or his or her designate who shall be a member of his staff;

(B) A juvenile court judge or referee from each grand division of the state who shall be appointed by the director of the administrative office of the courts;

(C) A clerk or deputy clerk whose primary duties include the maintenance of juvenile court records to be appointed by the president of the state court clerks' conference;

(D) The Commissioner of the Department of Children's Services or his or her designate;

(E) The attorney general and reporter or his or her designate shall be an ex officio member of the task force;

(F) The chairperson of the Senate Judiciary Committee and the chairperson of the House Children and Family Affairs Committee or their designate who shall be a member of the task force; and

(G) The chair of the Select Committee on Children and Youth of the general assembly or the chair's designee; and

(H) The executive director of the Tennessee Commission on Children and Youth or the executive director's designee.

(3) Appointments shall be made within sixty (60) days after the effective date of this act. The governor shall designate the chair of the task force, who shall set the date of the first meeting. At the organizational meeting, a secretary shall be elected from the task force's membership.

SECTION 3. (a)(1) The task force is authorized to request and receive assistance from any department, agency or entity of state government, upon request from the chair.

(2) Members of the task force are volunteers and shall serve without pay, except that non-legislative members may be reimbursed for travel expenses in accordance with travel regulations promulgated by the Commissioner of Finance and Administration and approved by the attorney general and reporter. Members of the general assembly shall be compensated in accordance with the provisions of Tennessee Code Annotated, Section 3-1-106.

SECTION 4. The task force is directed to assess and examine:

(1) The process of the submission of juvenile fingerprints to the Tennessee Bureau of Investigation and to the Federal Bureau of Investigation;

(2) The maintenance of juvenile fingerprint cards;

(3) The reporting of dispositions of juvenile offenses;

(4) The disclosure or non-disclosure of juvenile offenses for employment or volunteer purposes;

(5) Whether a juvenile offender repository is needed;

(6) Whether any of the statutes referring to juvenile records and/or juvenile fingerprints are in direct conflict with other statutes and, if so, to determine how to correct any ambiguities; and

(7) Any other relevant issues that concern juvenile fingerprint submissions, dispositions, and disclosures of juvenile records.

SECTION 5. The task force is directed to submit a report of its findings and recommendations, including any suggested legislation, to the general assembly and the governor no later than February 15, 2008.

SECTION 6. This act shall take effect on July 1, 2007, the public welfare requiring it.

PASSED: June 11, 2007



RON RAMSEY
SPEAKER OF THE SENATE



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 27th day of June 2007



PHIL BREDESEN, GOVERNOR